

FILED

5/19/2016

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

RECEIVED

APR 18 2016 *B*

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

ROBERT WEAVER

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case No: _____
(To be supplied by the Clerk of this Court)

THOMAS J. DART

John Doe

DET. NICKERSON #20020

DET. ROBERT VOIGHT #20325

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

✓

**COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)**

**COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)**

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

16cv4415

Judge Joan H. Lefkow

Magistrate Judge Jeffrey T. Gilbert

PC4

I. Plaintiff(s):

- A. Name: ROBERT WEAVER
- B. List all aliases: cedric weaver
- C. Prisoner identification number: 20151016004
- D. Place of present confinement: COOK county Jail
- E. Address: 2650 S California Ave Chicago, IL 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: THOMAS J DART
Title: CHIEF SHERIFF OF COOK COUNTY
Place of Employment: RICHARD J. DALEY CENTER
- B. Defendant: JOHN DOE
Title: COOK COUNTY SHERIFF
Place of Employment: COOK COUNTY Jail
- C. Defendant: NICHOLAS NICKERAS #20020
Title: DETECTIVE
Place of Employment: DISTRICT 018

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

D. Defendant: Robert Voight # 20325

Title: Detective

Place of Employment: District 018

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: N/A
- B. Approximate date of filing lawsuit: N/A
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: N/A
- D. List all defendants: N/A
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): N/A
- F. Name of judge to whom case was assigned: N/A
- G. Basic claim made: N/A
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): N/A
- I. Approximate date of disposition: N/A

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

That on or about 05, Nov 2014, the Plaintiff Robert Weaver was arrested for arm robbery and aggravated battery. The Plaintiff spent the night at District 018 lock up. On 06, Nov 2014, Defendants Detective Nickas #20020, Voight #20325 escorted the Plaintiff back to Cook County Jail, which at some point along the way Plaintiff asked to be taken to court for a bond hearing to Defendants Detective Nickas #20020, Voight #20325 but was refused. Said actions and inactions of the Defendants were intentional, willful and wanton.

The Defendants officer Thon Doe, were Cook County officer working for the City of Cook County who refused to take the Plaintiff Robert Weaver to a bond hearing upon his arrival at Cook County Jail though he had a constitutional right to same. That at all time Defendant Thon Doe

were acting as employee of Cook County Sheriff Department and Thomas J. Dart, the Sheriff of Cook County. The Sheriff of Cook County has practice custom and Policy to avoid providing hearing for individuals who are being held for other charges. AS a result of the custom practice and Policy the Plaintiff was denied hearing. The Plaintiff suffered emotional damages and loss of any chance of liberty for twenty days as a result of this custom practice and Policy. The actions of the Defendants were intentional willful and with malice. Plaintiff was not provided a bond hearing or brought to a bond/Probable cause hearing on said charges until approximately 25, Nov, 2014. Plaintiff still till this day don't have a bond.

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Plaintiff prays for Judgement in his favor and against the Defendants Cook County Sheriff Thomas J. Dart, John Doe, Det. Nickeas #20020, Voight #20325 and for reasonable compensatory damages, punitive damage for the amount of \$1,000,000 Dollars.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 12 day of APR, 2016

Robert Weaver

(Signature of plaintiff or plaintiffs)

Robert Weaver

(Print name)

20151016004

(I.D. Number)

2650 S. California Ave

Chicago, IL 60608

(Address)